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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

**Hearing date: November 30, 2020
@ 10:00 am**

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In re:

MYINT KYAW, a/k/a
JEFFREY WU,
Debtor.

Case No: 820-72407-reg

Chapter 11

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**STATEMENT REGARDING THE MOTION OF CLASS REPRESENTATIVES
FOR AN ORDER AUTHORIZING RULE 2004 EXAMINATION OF
ANCHIN, BLOCK & ANCHIN LLP**

TO: THE HONORABLE ROBERT E. GROSSMAN,
UNITED STATES BANKRUPTCY JUDGE:

Xizhu Bai, W & L Group Construction, Inc. and Sanford Avenue Partner LLC

(the “**Creditors**”), creditors of the debtor, Myint Kyaw, a/k/a Jeffrey Wu (“**Debtor**”), through their counsel, Kravit Partners LLC, do hereby submit this statement (the “**Statement**”) in connection with the motion filed by Chang & Son Enterprises, Inc. and Choo & Company, Inc., (the “**Class Representatives**”), for an Order Authorizing a Rule 2004 Examination of Anchin, Block & Anchin LLP (“**Anchin**”) [Dkt. ## 121, 122, 128] (the “**Anchin Rule 2004 Motion**”).

In support of this Statement, the Creditors respectfully state as follows:

1. On July 8, 2020, the Debtor filed a petition for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Eastern District of New York.

2. The Debtor appears to still be working on a complete and accurate set of Schedules and Statements of Financial Affairs (the “**Schedules**”). The 341 meeting has been adjourned on several occasions and the latest Schedule was filed on October 29, 2020, the same day as the last 341 meeting of creditors. Although the 341 meeting was concluded and closed on October 29, 2020, many questions remain concerning the Debtor’s financial condition. The Schedules do not appear to be complete and raise additional questions about the Debtor’s financial affairs.

3. The Schedules filed thus far show that the Debtor directly or indirectly as a member of an LLC or other entity, holds an interest in numerous real properties, businesses, and investments. At his 341 meetings, the Debtor repeatedly referred to his accountant, Anchin, as someone who knows his financial affairs.

4. The Creditors believe a Rule 2004 examination of the Debtor’s accountant, Anchin, is appropriate and, in an effort to foster efficiency and economy, wish to examine Anchin at the same time as the Class Representatives.

5. The Creditors have conversed with counsel for the Class Representatives and counsel has no objections to the Creditors participating in the Anchin Rule 2004 examination, sharing the documents produced by Anchin and allowing the Creditors to ask questions at the Anchin deposition.

6. The Creditors have reached out to counsel for the Debtor to see if there are any objections to the Creditors participating in the Anchin Rule 2004 examination from the Debtor’s perspective and to agree on a procedure for same. As of the filing of this Statement, the Creditors have not heard back from Debtor’s counsel.

7. The Creditors expressly reserve and preserve all available rights and remedies, including without limitation the right to submit additional motions for court authorization of Rule 2004 examinations and related document production.

WHEREFORE, for the reasons set forth in the Statement, the Creditors respectfully request that if the Anchin Rule 2004 Motion is granted, the Creditors be permitted to fully participate in the examinations of Anchin, and such other and further relief as may be appropriate.

Dated: November 23, 2020
New York, New York

KRAVIT PARTNERS LLC

By: /s/ Margarita Y. Ginzburg

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*Attorneys for Creditors,
Xizhu Bai,
W & L Group Construction, Inc. and
Sanford Avenue Partner LLC*

CERTIFICATE OF SERVICE

I, Margarita Y. Ginzburg, hereby certify that on November 23, 2020, I caused a copy of the foregoing *Statement Regarding the Motion Of the Class Representatives For Order Authorizing Rule 2004 Examination Of Anchin, Block & Anchin LLC* to be served electronically through the Court's ECF System upon the registered participants as identified on the Notice of Electronic Filing.

New York, NY
November 23, 2020

/s/ Margarita Y. Ginzburg
Margarita Y. Ginzburg